

EXHIBIT C



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January 13, 2023

Via E-mail

David K. Haller, Esq.
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RE: Hawaii Discount, LLC d/b/a Hawaiiidiscout.com, LLC v. Hawaii Sunset Events, LLC d/b/a Chief's Luau, Teuila Hawaii, LLC
Civil Action No.: 2:21-cv-02011-DCN
Our File No.: 069023/01500

Dear David:

I received your letter dated January 9, 2023, enclosing a notice of several depositions to take place in Honolulu, Hawaii, during the week of February 20, 2023. I have confirmed that Roy Pfund, Joann Erban and Jason Young are available for deposition that week, although we may need to make minor adjustments to your proposed schedule to accommodate their work schedules. In addition, we can accommodate the Rule 30(b)(6) deposition of Robert's Hawaii during that week as well. We are still determining who will be the designee for the topics in the Rule 30(b)(6) notice for Teuila Hawaii, LLC, and I will follow up with you on that once we have made a decision, but I wanted to go ahead and respond regarding the availability of these witnesses as soon I could.

I was informed by Eddie Sax's counsel that Mr. Sax is unavailable for a deposition during the week of February 20, as he will be out of the country. Mr. Sax is represented by Andy Beaman, Esq., and you should coordinate scheduling of his deposition directly with Mr. Beaman. Mr. Beaman can be reached directly at (808) 753-2279 or andrewvarnumbeaman@gmail.com.

We also have objections to your Rule 30(b)(6) notices to both Robert's Hawaii and Teuila Hawaii:

- Topic 5 in the Teuila notice (and Topic 7 in the Robert's Hawaii notice) is "Commission paid to Hawaii Discount and the damages suffered by it." First, I don't understand what "it" refers to in this phrase, and the topic generally is unclear. In addition, as you know, we deny that Hawaii Discount suffered any damages whatsoever. We will produce a witness with knowledge of the commissions paid by Teuila to Hawaii, but we object to the remainder of the topic.
- Topic 8 in the Teuila notice is "Chief's Luau's dealings with other ticket sellers." Although we will produce a witness knowledgeable about this topic, we do not agree to have the witness

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testify regarding the details of Teuila's contractual relationships with other agencies for the same reasons we objected to your prior requests that we produce Teuila's contracts with other agencies.

- Topics 10 and 11 of both notices purport to require the entities to produce a witness with knowledge of all "allegations in the complaint" and all "allegations of the defendants' answer and counterclaim, and discovery responses." These topics are overbroad and invasive of attorney-client privilege and work product. We cannot be expected to produce lay witnesses that can speak knowledgeably regarding every allegation in every pleading and discovery response in the case. Thus, we object to these topics.

We are happy to discuss these objections and would prefer to resolve them through negotiations, but let us know if we should go ahead and move for a protective order. Unless I hear from you by January 18, we will proceed with a motion.

Next, if you decide to proceed with the depositions of the above witnesses during the week of February 20, we intend to take the deposition that week of Kanani Mokiao-Lee, who, according to your discovery responses, resides in Hawaii. Please let me know whether you can facilitate this deposition since you appear to have been in communication with her to procure her affidavit. If we cannot take her deposition during the same week, we may need to look at a different time to travel to Hawaii for these depositions.

In addition, please let me know dates in March for depositions of John Fradella, Kim Turok and Elizabeth LaFave in Charleston. We also intend to take the depositions of George Correia and Brandon Call. Let me know if you can facilitate these depositions. If not, we will proceed to serve these witnesses with deposition subpoenas through regular channels.

Finally, your answers to interrogatories identify several additional witnesses, many of whom appear to be current or former Hawaii Discount employees. I want to take the deposition of every witness you have identified in your interrogatory responses that you may call to trial. However, I am happy to forego depositions of any of these additional witnesses who you will not call if you will stipulate that you will not call the witness. Please let me know whether you will agree to such a stipulation. If not, we need to go ahead and schedule the depositions of these witnesses as well.

Very truly yours,



Merritt G. Abney

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cc: Bernard S. Klosowski, Jr., Esq.